

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

STAR PACIFIC CORPORATION,

Plaintiff(s),

v.

STAR ATLANTIC CORP., et al.,

Defendant(s).

Civil Action No. 08-4957 (SDW)

ORDER

October 20, 2009

**ORDER ADOPTING THE REPORT AND RECOMMENDATION
OF THE MAGISTRATE JUDGE**

This matter comes before the Court on the Report and Recommendation ("R&R") of United States Magistrate Judge Madeline C. Arleo, filed on October 6, 2009, regarding defendant Yafei (Alfred) Zhao's ("Alfred Zhao") repeated failure to comply with discovery obligations and court orders. In the R&R, Magistrate Judge Arleo considers the arguments made by the parties and recommends that this Court strike Alfred Zhao's answer and counterclaims; allow an entry of default against him; and allow plaintiff Star Pacific Corporation ("Plaintiff") to proceed to judgment by default. No objection to the R&R was filed.

The Court has reviewed the R&R and the other documents on file in this matter. Based on the foregoing, and for good cause shown,

It is hereby **ORDERED** that the R&R of Magistrate Judge Arleo, filed on October 6, 2009, is **ADOPTED** as the conclusions of law of this Court; and it is further

ORDERED that Alfred Zhao's Answer and Counterclaims (Docket entry no. 35) are stricken; and it is further

ORDERED that Plaintiff be allowed to proceed to judgment by default as to Alfred Zhao and enter default against him.

s/Susan D. Wigenton, U.S.D.J.

cc: Magistrate Judge Madeline C. Arleo